

# **EXHIBIT “C”**

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May 4, 2011

Dr. Mohamed Yossry Hussein  
Infotec Corporation  
23 Dr. ElSobky St. (from Dokki St.)  
Dokki, Giza, Cairo, EGYPT

Dr. Mohamed Yossry Hussein  
c/o New York Institute of Technology-Bahrain  
Campus 851, Road 3828, Block 338  
P.O. Box 11287  
Adliya - BAHRAIN

*Re:* Dennis Balk v. New York Institute of Technology and Infotec Corp.  
11-cv-0509 (JFB)

Dear Dr. Hussein:

We represent plaintiff Dennis Balk ("Mr. Balk") in the above-referenced action. Please take notice that Infotec Corporation ("Infotec") has been named as a defendant in the above-referenced action (the "action") and service of the summons and complaint in the action was effected upon Infotec's registered agent in the Republic of Cyprus, A. Kakofengitis & Co., Zinas Kanther 4, 3035, Limassol, Cyprus, by way of registered international mail, return receipt requested, by a Clerk of Court (the "Clerk") from the United States District Court for the Eastern District of New York on April 25, 2011. A copy of the proof of service filed by the Clerk is enclosed herewith.

We strongly recommend that you retain appropriate legal counsel to represent you in the action as soon as possible.

KORNFELD & ASSOCIATES, P.C.

Dr. Mohamed Yossry Hussein

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The Federal Rules of Civil Procedure (“F.R.Civ.P.”) provide as follows:

**“(a) Entering a Default.** When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” (F.R.Civ.P. 55[a]).

The F.R.Civ.P. further provides as follows:

**“(b) Entering a Default Judgment.**

(1) *By the Clerk.* If the plaintiff’s claim is for a sum certain or a sum that can be made certain by computation, the clerk – on the plaintiff’s request, with an affidavit showing the amount due – must enter judgment for that amount and costs against a defendant who has been defaulted for not appearing and who is neither a minor nor an incompetent person.

(2) *By the Court.* In all other cases, the party must apply to the court for a default judgment. [...] The court may conduct hearings or make referrals – preserving any federal statutory right to a jury trial – when, to enter or effectuate judgment, it needs to

- (A) conduct an accounting;
- (B) determine the amount of damages;
- (C) establish the truth of any allegation by evidence; or
- (D) investigate any other matter.” (F.R.Civ.P. 55[b]).

In the event that Infotec does not answer or otherwise appear in response to the complaint in the action, Mr. Balk fully intends to exercise his right to apply for a default judgment pursuant to Rule 55 of the F.R.Civ.P.

We have been advised by New York counsel for defendant New York Institute of Technology, Fulbright & Jaworski, LLP, that it does not represent defendant Infotec in this action.

Very truly yours,

RANDY M. KORNFELD

RMK/cjm

Encl.

cc: Neil Sparber, Esq.  
Samantha Beltre, Esq.  
Fulbright & Jaworski, LLP  
*Attorneys for Defendant New York Institute of Technology*  
(by PDF e-mail without enclosures)



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